

State Water Resources Control Board

Division of Drinking Water

January 26, 2018

Thomas March, Landscape Specialist
Caltrans-L.T. Davis Rest Area
1657 Riverside Drive
Redding, CA 96001

System No. 3200020
Certified Mail
7017 0190 0000 6412 7546

TRANSMITTAL OF COMPLIANCE ORDER NO. 01-02-18R-001

Dear Mr. March:

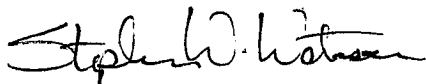
The State Water Resources Control Board (Board) Division of Drinking Water has issued the Caltrans L.T. Davis Rest Stop water system a Compliance Order for violating the maximum contaminant level of total coliform bacteria for the month of August 2017, which is attached.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Stephen Rooklidge at (530) 224-2413 or me at (530) 224-4800.



Stephen W. Watson, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosure

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section
Plumas County Environmental Health Department

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

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APPLICABLE AUTHORITIES**CHSC, Section 116655 states in relevant part:**

(a) Whenever the state board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the state board may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the state board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the state board.

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.



1
2 **California Code of Regulations, Title 22, Section 64426.1, subsection (b)**
3 **provides, in relevant part:**

4 (b) A public water system is in violation of the total coliform MCL [maximum
5 contaminant level] when any of the following occurs:

6 (2) For a public water system which collects fewer than 40 samples per
7 month, more than one sample collected during any month is total coliform-
8 positive; or
9

10 **Section 116701 of California Health and Safety Code provides:**

11 (a) Within 30 days of issuance of an order or decision issued by the deputy
12 director under Article 8 (commencing with Section 116625) or Article 9
13 (commencing with Section 116650), an aggrieved person may petition the state
14 board for reconsideration. Where the order or decision of the deputy director is
15 issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1
16 of Division 3 of Title 2 of the Government Code, this section shall apply instead of
17 Section 11521 of the Government Code.

18
19 (b) The petition shall include the name and address of the petitioner, a copy of the
20 order or decision for which the petitioner seeks reconsideration, identification of
21 the reason the petitioner alleges the issuance of the order was inappropriate or
22 improper, the specific action the petitioner requests, and other information as the
23 state board may prescribe. The petition shall be accompanied by a statement of
24 points and authorities of the legal issues raised by the petition.
25
26



1 (c) The evidence before the state board shall consist of the record before the
2 deputy director and any other relevant evidence that, in the judgment of the state
3 board, should be considered to implement the policies of this chapter. The state
4 board may, in its discretion, hold a hearing for receipt of additional evidence.
5

6 (d) The state board may refuse to reconsider the order or decision if the petition
7 fails to raise substantial issues that are appropriate for review, may deny the
8 petition upon a determination that the issuance of the order or decision was
9 appropriate and proper, may set aside or modify the order or decision, or take
10 other appropriate action. The state board's action pursuant to this subdivision shall
11 constitute the state board's completion of its reconsideration.
12

13 (e) The state board, upon notice and hearing, if a hearing is held, may stay in
14 whole or in part the effect of the order or decision of the deputy director.
15

16 (f) If an order of the deputy director is subject to reconsideration under this section,
17 the filing of a petition for reconsideration is an administrative remedy that must be
18 exhausted before filing a petition for writ of mandate under Section 116625 or
19 116700.
20

21 STATEMENT OF FACTS

22 The California Department of Transportation (Caltrans) operates the L.T. Davis Rest
23 Stop water system that is located near Portola. There is one service connection that
24 serves a daily transient population of approximately 200. The water system includes
25 a water distribution system supplied by a groundwater well that operates seasonally
26 from May to October.
27



1 Caltrans is required to collect one routine bacteriological water sample per month
2 from their distribution system. Since 2006, the L.T. Davis Rest Stop has had positive
3 results for total coliform bacteria during 29 separate sampling events. The
4 construction of the new well in 2010 was expected to avoid future bacterial
5 contamination, but the water system downstream of the well continues to test positive
6 for total coliform bacteria. Samples collected for testing heterotrophic plate counts by
7 Division staff during the summer of 2016 indicated an increasing growth of bacteria
8 from the water storage tank to the farthest well spigot. No cause for the increase was
9 determined.

10
11 More recently, on July 18, 2017, Caltrans collected one routine bacteriological sample
12 from the distribution system that was determined to be positive for total coliform and
13 negative for E.coli. The water system was disinfected, flushed, and re-sampled
14 before the sampling events of July 20, 2017, and July 27, 2017. One sample from
15 July 20, 2017, and two samples from July 27, 2017, were found to be positive for total
16 coliform. A citation for exceeding the MCL of coliform bacteria was issued for the
17 month of July 2017 as Citation No. 01-02-17C-016.

18
19 Repeat samples were again collected on August 3, 2017, and all four samples were
20 negative. Due to the MCL violation in July, five routine samples were collected on
21 August 15, 2017, and four of the samples were found to be positive for total coliform.
22 After the distribution system was disinfected and flushed, five additional repeat
23 samples were collected on August 24, 2017, and no samples were positive for
24 coliform bacteria. The repeat sampling events and results after disinfection, flushing,
25 and re-sampling indicates the distribution system has a continuing problem with the
26 re-growth of total coliform bacteria. No samples during these sampling events



indicated the presence of E. coli bacteria. The sampling results over the months of July and August 2017 are shown below.

<u>Sample Date</u>	<u>Sample Location</u>	<u>Sample Type</u>	<u>Total Coliform Result</u>
July 18, 2017	Water Post 1	Routine	Present
July 20, 2017	Utility Room	Repeat	Present
July 20, 2017	Water Post 1	Repeat	Absent
July 20, 2017	Water Post 2	Repeat	Absent
July 27, 2017	Tank	Repeat	Absent
July 27, 2017	Utility Room	Repeat	Absent
July 27, 2017	Water Post 1	Repeat	Present
July 27, 2017	Water Post 2	Repeat	Present
August 3, 2017	Tank	Repeat	Absent
August 3, 2017	Utility Room	Repeat	Absent
August 3, 2017	Water Post 1	Repeat	Absent
August 3, 2017	Water Post 2	Repeat	Absent
August 15, 2017	Well	Routine	Absent
August 15, 2017	Water Post 1	Routine	Present
August 15, 2017	Water Post 2	Routine	Present
August 15, 2017	Utility Room	Routine	Present
August 15, 2017	Tank	Routine	Present
August 24, 2017	Utility Room	Repeat	Absent
August 24, 2017	Tank	Repeat	Absent
August 24, 2017	Water Post 1	Repeat	Absent
August 24, 2017	Water Post 2	Repeat	Absent
August 24, 2017	Well	Repeat	Absent



1 The routine sampling in July 2017 was completed in accordance with Caltran's 2015
2 Bacteriological Sampling Site Plan (BSSP), and the August 2017 sampling events
3 were conducted in accordance with a BSSP updated on July 31, 2017. Caltrans
4 complied with the public notification requirements of Section 64463.7 and Section
5 64465, Title 22 of the CCR, by posting signage at the water spigots when notified of
6 the positive repeat samples stating the water was not to be used until the repeat
7 samples indicated the water was negative for bacteriological contamination. A
8 Level 1 Assessment was conducted in October 2017, and no cause of the
9 contamination was determined.

10 11 DETERMINATIONS

12 Based on the above Statement of Facts, the Division has determined that the Caltrans
13 L.T. Davis Rest Stop violated Section 64426.1(b)(2), Title 22, of the CCR by
14 exceeding the total coliform MCL during the month of August 2017.

15
16 Based on the above Statement of Facts, the Division has determined that the water
17 system is susceptible to total coliform bacteria contamination and future violations are
18 threatened.

19 20 DIRECTIVES

21 Caltrans is hereby directed to take the following actions:

- 22
- 23 1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring
24 periods.
 - 25 2. Complete and return Attachment 'A' entitled "Compliance Certification" by
26 **May 1, 2018**. A copy of the notices used to provide public notification must be
27 attached to the form.

1 3. On or before **May 1, 2018**, submit for Division approval a Corrective Action
2 Plan identifying improvements to the water system designed to continuously
3 and reliably disinfect the water from the L.T. Davis Rest Stop water supply
4 system in order to ensure compliance with the primary standard for total
5 coliform bacteria at all times. The plan shall include a time schedule for
6 completion of the improvements.

7 4. On or before **October 1, 2018**, the Company shall provide continuous, reliable
8 chlorination of the Caltrans L.T. Davis Rest Stop water supply.

9
10 All documents required by this Compliance Order to be submitted to the Division shall
11 be submitted to the following address:

12
13 Stephen W. Watson, P. E.
14 Lassen District Engineer
15 State Water Resources Control Board
16 Division of Drinking Water
17 364 Knollcrest Drive, Suite 101
18 Redding, CA 96002

19
20 As used in this Compliance Order, the date of issuance shall be the date of this
21 Compliance Order; and the date of service shall be the date of service of this
22 Compliance Order, personal or by certified mail, on the Caltrans.

23
24 Nothing in this Compliance Order relieves Caltrans of its obligation to meet the
25 requirements of Health and Safety Code, Division 104, Part 12, Chapter 4 (California
26 Safe Drinking Water Act), or any regulation, permit, standard or order issued or
27 adopted thereunder.

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4 The Division reserves the right to make such modifications to this Compliance Order,
5 as it may deem necessary to protect public health and safety. Such modifications may
6 be issued as amendments to this Compliance Order and shall be effective upon
7 issuance.
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13 **FURTHER ENFORCEMENT ACTION**

14 The California SDWA authorizes the Board to: issue Compliance Order with
15 assessment of administrative penalties to a public water system for violation or
16 continued violation of the requirements of the California SDWA or any permit,
17 regulation, or order issued or adopted thereunder including, but not limited to, failure
18 to correct a violation identified in a Compliance Order or compliance order. The
19 California SDWA also authorizes the Board to take action to suspend or revoke a
20 permit that has been issued to a public water system if the system has violated
21 applicable law or failed to comply with an order of the Board; and to petition the
22 superior court to take enforcement measures against a public water system that has
23 failed to comply with an order of the Board. The Board does not waive any further
24 enforcement action by issuance of this Compliance Order.
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3 **PARTIES BOUND**

4 This Compliance Order shall apply to and be binding upon Caltrans, its officers,
5 directors, shareholders, agents, employees, contractors, successors, and assignees.
6

7 **SEVERABILITY**

8 The Directives of this Compliance Order are severable, and Caltrans shall comply
9 with each and every provision thereof, notwithstanding the effectiveness of any other
10 provision.
11

12
13 1/26/2018

14
15 Date

16 Richard L. Hinrichs

17 Richard L. Hinrichs P.E., Chief
18 Northern California Section
19 Division of Drinking Water
20 State Water Resources Control Board

21
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23 Attachments:

24 Attachment 'A': Compliance Certification
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27 CERTIFIED MAIL 7017 0190 0000 6412 7546
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COMPLIANCE CERTIFICATION

Compliance Order Number: **01-02-18R-001**

Name of Water System: **Caltrans L.T. Davis Rest Stop**

System Number: **3200020**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of August 2017. In addition, I certify that the Caltrans L.T. Davis Rest Stop water system complied with the directives of this Compliance Order as indicated below:

Required Action

Date Completed

Copy of notification used to inform the public, as required by Directive 2: _____

Submittal of Corrective Action Plan, as required by Directive 3: _____

Signature of Water System Representative

Date

Attach a copy of the notice posted on site.

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN MAY 1, 2018.</p>

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.